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BILL NO. G-77-10-39

GENERAL ORDINANCE NO. G-

48-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain Street and Alley.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street and alley having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I. C. 18-7-5-46), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street and alley, to-wit:

- 1. All that portion of East Brackenridge Street lying between the east right-of-way line of South Clinton Street and the west right-of-way line of South Iafayette Street;
- 2. All that portion of South Barr Street, south of East Douglas Avenue, lying between the south right-of-way line of an existing alley (extending in an east-west direction and being approximately fourteen feet in width) and the north right-of-way line of East Brackerridge Street; and
- 3. All that portion of an existing alley (extending in and east-west direction and being approximately fourteen feet in width) lying between the east right-of-way line of South Barr Street and the west right-of-way line of South Lafayette Street. Said alley is located south of East Douglas Avenue and north of East Brackenridge Street.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

APPROVED AS TO FORM

Councilman

GIT, ATTORNEY

34 35

· Read the fir	st time in full and	on motion by	U. Detw	, seconded by	•
Hunte	and duly a	dopted, read	the second time by	title and referred to	the
Committee on	Regul	ctoons	(and the City	Plan Commission for	
recommendation) a	and Public Hearing	to be held aft	er due legal notice	, at the Council Chan	mbers,
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			MAYOR	1	7

Bill	No. G-7/-10-39	
	REPORT OF THE COMM	ITTEE ON REGULATIONS
We,	your Committee on Regulations	to whom was referred an Ordinance
•	amending General Ordinance G-97 by aut	horizing the vacation of a certain
	Street and Alley	
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have	had said Ordinance under consideration and	beg leave to report back to the Common
	cil that said Ordinance No PASS.	
COUL	VIVIAN G. SCHMIDT - CHAIRMAN	Winiam H. Selini dt
		Given N. Slamede
	WINFIELD C. MOSES, JR VICE-CHAIRMAN	Workell Mas IR.
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	DONALD SCHMIDT	
	SAMUEL J. TALARICO	Samuel Talarico

CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

12 December 1977

Members of the Common Council City-County Building One Main Street Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) street and alley vacation acted upon by the City Plan Commission at their regular meeting held November 28, 1977. In addition to the reasons ourlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

- 1. Bill No. G-77-10-39
- 2. Intended Use: The U.S. Postal Service wants vacation of these properties in order to facilitate the construction of a new Federal Post Office.
- 3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

a. The Site Committee recommends approval of this vacation in order to facilitate the construction of a new Federal Post Office.

. If there are any questions with regard to this ordinance please feel free to call on us.

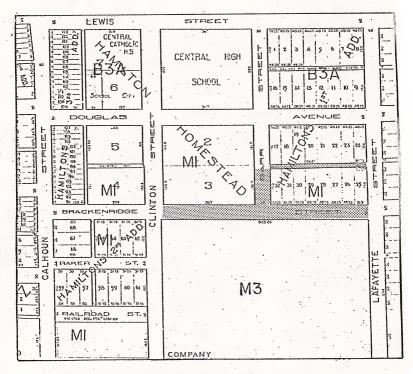
Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING Division of Long Range Planning

Mary J. Bacter

Gary F. Baeten Land Use Administrator

GFB:pb Attachments





VACATE STREET & ALLEY

MAP NO M2

6-77-10-39

N

BY M.F.C. 10-3-77

65-115-8 12/8/77 . . . -RESOLUTION 65-173-8 WHEREAS, the United States Postal Service, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated public right-ofway located in Fort Wayne, Allen County, Indiana, to-wit: All that portion of East Brackenridge Street lying between the east right-of-way line of South Clinton Street and the west right-of-way line of South Lafavette Street; All that portion of South Barr Street, south of 2. East Douglas Avenue, lying between the south right-of-way line of an existing alley (extending in an east-west direction and being approximately fourteen feet in width) and the north right-of-way line of Fast Brackenridge Street; and, 3. All that portion of an existing alley (extending in an east-west direction and being approximately fourteen feet in width) lying between the east right-of-way line of South Barr Street and the west right-of-way line of South Lafayette Street. Said alley is located south of East Douglas Avenue and north of East Brackenridge Street. WHEREAS, said vacation of dedicated right-of-way has been submitted to and approved by the following departments of the City of Fort Wayne: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Park Board, Electrical Engineering, and thru the Pulic Utility Companies. NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated public rightof-way hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana; RE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public dedicated right-of-way, hereinbefore described be and the same is hereby approved and easement rights be retained over the entire right-of-way of the aforedescribed right-of-way, that the vacation of said dedicated right-of-way shall not have the effect of depriving any public utility using and occupying said dedicated public

utility easement at this time of the use of said dedicated public utility easement for the location and operation of its utility facilities.

APPROVED.

APPROVED.

Dated this 8th day of Lumber 1977

FORT WAYNE BOARD OF PUBLIC WORKS

Chairperson

Member J. La Mar Member J. Law & Seath

## PETITION TO VACATE A PORTION OF TWO PUBLIC STREETS AND A PORTION OF A PUBLIC ALLEY

TO: City Plan Commission
City of Fort Wayne, Indiana

The undersigned petitioner does hereby respectfully petition the Fort Wayne City Plan Commission to vacate portions of two public streets and a portion of a public alley all of which are located within the City of Fort Wayne, Indiana, and which portions of the two public streets and portion of the public alley covered by this vacation petition are hereby described as follows:

- All that portion of East Brackenridge Street lying between the east right-of-way line of South Clinton Street and the west right-ofway line of South Lafayette Street;
- 2. All that portion of South Barr Street, south of East Douglas Avenue, lying between the south right-of-way line of an existing alley (extending in an east-west direction and being approximately fourteen feet in width) and the north right-of-way line of East Brackenridge Street; and,
- 3. All that portion of an existing alley (extending in and east-west direction and being approximately fourteen feet in width) lying between the east right-of-way line of South Barr Street and the west right-of-way line of South Lafayette Street. Said alley is located south of East Douglas Avenue and north of East Brackenridge Street.

  In support thereof your petitioner would represent as follows:
- That it is the owner of the real estate abutting both sides of those aforedescribed portions of two public streets and a public alley.
- That those aforedescribed portions of two public streets and a portion of the public alley are not necessary as ingress or egress to other properties whatsoever.
- 3. That the United States Postal Service has acquired fee title to the following areas:

- A. The entire block bounded on the south by the property
  of the former Pennsylvania Company, on the east by South Lafayette
  Street, on the north by East Brackenridge Street, and on the west by
  South Clinton Street;
- B. The entire block, subject to a fourteen foot wide alley extending in an east west direction, bounded on the south by East Brackenridge Street, on the east by South Lafayette Street, on the north by East Douglas Avenue, and on the west by South Barr Street; and,
- C. The south one-half of that block which entire block is bounded on the south by East Brackenridge Street, on the east by South Barr Street, on the north by East Douglas Avenue, and on the west by South Clinton Street.
- 4. That the vacation of the aforedescribed portions of two public streets and a portion of a public alley will provide the United States Postal Service with an adequate area which can be efficiently utilized for the construction and operation of a managment sectional center for the purpose of providing a modern highly mechanized facility which will result in improved mail service for the people in Fort Wayne and surrounding areas.

Your petitioner files this petition pursuant to authority granted in Indiana Code, Section 18-7-5-46, in order to complete the vacation above described.

<u>Wherefore</u>, your petitioner prays that the above described portions of two public streets and a portion of a public alley be vacated according to the provisions of the Indiana Law pertaining thereto.

Dated this <u>28th</u> day of <u>September</u> 1977.

UNITED STATES POSTAL SERVICE

BY: C. M. Contracting Officer Real Estate Field Office

United States Postal Service 200 West Broadway, Room 506 Louisville, Kentucky 40202

No ser assigned by Bill Salin's Office: # 3833 Admn. Appr.
TITLE OF ORDINANCE STREETS AND ALLEY VACATION ORDINANCE
DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION.
SYNOPSIS OF ORDINANCE Petitioners (U.S. POSTAL SERVICE) is requesting the vacation of the following: 1) Brackenridge between
Clinton Street and Lafayette Street/ 2) Barr Street, from the north
right-of-way of Brackenridge to the south right-of-way of the east-west
alley. 3) East-west alley, extending east from Barr Street to
Lafayette Street - lying south of Douglas and north of Brackenridge.
(SEE PETITION FOR EXACT LEGAL DESCRIPTION)
EFFECT OF PASSAGEWhen vacated, streets and alley to be ulitized
for the construction of a new post office.
-
EFFECT OF NON-PASSAGE

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J. N.)\_\_\_\_\_

Regulatus



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING . ONE MAIN STREET . FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

January 4, 1977

Ms. Virginia Grace Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of January 7 and January 14, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

.

Zoning Map Ordinance No. Z-38-77 Bill No. Z-77-01-31

General Ordinance No. G-48-77 Bill No. G-77-10-39

Please sent us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincegely, Praslo W. Utesterman

Charles W. Westerman City Clerk

CWW/ne ENCL: 2



## LEGAL NOTICE OF THE COMMON COUNCIL, FORT WAYNE, INDIANA

Notice is hereby given that on the 27th day of December, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 6-77-10-39 -- GENERAL ORDINANCE NO. 6-48-77, being AN ORDINANCE amending General Ordinance No. 6-97 by authorizing the vacation of a certain Street and Alley.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that BILL NO. G-77-10-39 -- GENERAL ORDINANCE NO. G-48-77, was passed by the Common Council on the 27th day of December, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 28th day of December, 1977, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of December, 1977.

Charles W. Westerman City Clerk

Copies of said BILL NO. G-77-10-39 -- GENERAL ORDINANCE NO. G-48-77, are posted in the following public places in Fort Wayne, Allen County, Indiana.

- (1) The main floor lobby of the City-County Building
- (2) The bulletin board in the lobby at the east door of the Allen County Court House
- (3) The bulletin board in the lobby of the Downtwon Fort Wayne Public Library

Copies of said BILL NO. G-77-10-39 -- GENERAL ORDINANCE NO. G-48-77, are also available for reading in the following public places in Fort Wayne, Indiana.

- (4) The Reference Room in the north end of the main floor in said Downtown Public Library
- (5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County-Building, Fort Wayne, Indiana.

Charles W. Westerman City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinance in the designated places as stated above on January 9, 1978.

Charles W. Westerman

City Clerk

		ernmental Unit)		To.	THE NEWS-SI	ENTINEL
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Common Council of Fort Wayne	THE NEWS-SENTINEL
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